



# Christopher Higgins

## Partner

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## Practice Areas

- 3D Printing
- Intellectual Property
- Inter Partes Review (IPR)
- IP Counseling & Due Diligence

## Honors

- 2020 Recommended Lawyer by *The Legal 500 USA* for Patent Litigation
- 2014-2018 *Super Lawyers* Rising Star in Washington, D.C.
- 2016 *World Technology Awards* Nominee (Law)
- Giles Rich Intellectual Property Moot Court Competition National Finalist

## Education

- J.D., The George Washington University Law School, *Thurgood Marshall Scholar*
- B.S., Electrical Engineering, University of Cincinnati

## Memberships

- The Giles S. Rich American Inn of Court
- DC Bar Association

Chris Higgins is a patent litigator and co-leader of the 3D Printing Group at Orrick. Chris is a trial lawyer with an electrical engineering degree, giving him a unique set of skills to represent clients in disputes involving complex technologies such as 3D printing and 3D scanning, graphics processing, semiconductors, medical devices, LCD displays, and data encryption.

Chris has developed a global reputation as an authoritative source on legal issues in 3D printing, and has been a featured speaker at 3D printing events around the world. His 3D printing practice includes advising startups and established 3D printing companies on all aspects of intellectual property law, cybersecurity, and technology transactions. Chris helps 3D printing clients grow their businesses and capitalize on market opportunities and represents them in court to defend or enforce IP rights. Chris' 3D printing work extends beyond the courtroom; he teaches a course at Penn State University as part of its Masters of Engineering in Additive Manufacturing and Design program.

Chris' patent litigation and IPR practice also covers a wide range of other technologies including graphics processing, digital image processing and printing, semiconductor devices and semiconductor manufacturing, data encryption, high-definition television, digital content recognition, and medical devices. Chris has also assisted clients with licensing and patent prosecution related to 3D printing, digital imaging, wireless technology, mobile communication devices, encryption, high-definition television and medical devices.

Prior to law school, Chris worked in the patent department of a medical device company and as an engineer designing electronic components for missiles, projectiles, and bombs.

## Representative Engagements

- On behalf of Fujifilm, we won all eight IPRs filed against Papst Licensing. As part of ongoing litigation with Papst, our client joined forces with digital camera and mobile phone manufacturers to attack the validity of two patents concerning USB functionality. We took the lead on two of the eight IPRs, and were heavily involved in the other six. The PTAB ruled all instituted claims unpatentable. Moreover, since all the claims asserted against Fujifilm were ruled unpatentable on four

separate, independent grounds, we have made significant headway towards defeating Papst in the remaining litigation. *Fujifilm Corp. v. Papst Licensing GmbH & Co. KG*.

- Represents Micro-Tech Endoscopy USA in a patent infringement action brought by Boston Scientific related to endoscopic devices. *Boston Scientific Corp. v. Micro-Tech Endoscopy USA Inc.* (D. Del.)
- Represents Robert Bosch in patent infringement actions brought by J.S.T Corporation in the ITC and in the Northern District of Illinois for patents related to electrical connectors used in the automotive industry.
- Represented Taiwan Semiconductor Manufacturing Company in a patent dispute against Globalfoundries related to semiconductor fabrication technologies (W.D. Tex. and D. Del.).
- Represented MediaTek in several litigations at the Federal Circuit and before the Patent Office in inter partes review proceedings for patents related to graphics processing technology. IPR2018-00101, 102.
- Represented Innolux Corporation in a patent infringement action brought by Vista Peak Ventures for patents related to LCD technology. (E.D. Tex.)
- Represented Desktop Metal in a patent infringement and trade secret action against Markforged related to 3D printing technology (D. Mass.)
- Represented Fujifilm in a patent infringement action brought by Hologic in the ITC and in district court for patents related to digital mammography.
- Represented Audible Magic and its 19 customers in cases brought by Blue Spike, LLC, for patents related to digital content recognition technology. Obtained summary judgment of noninfringement. Audible Magic asserted counterclaims including unjust enrichment, Lanham Act violations, and derivation. Audible Magic settled these claims prior to trial and after obtaining the summary judgment of no infringement ruling. *Blue Spike, LLC v. Audible Magic Corp., et al.* (E.D. Tex.).
- Represented Ricoh Company in a patent infringement case involving printing and scanning technology. *Intellectual Ventures I LLC v. Ricoh Company, Ltd, et al.*, (D. Del.).
- Represented Fujifilm in a patent infringement action brought by Princeton Digital Image Corporation related to digital imaging technology. Recently obtained summary judgment for Fujifilm resulting in dismissal of all claims, which was affirmed by the Federal Circuit. *Princeton Digital Image Corp. v. Fujifilm North America Corporation* (SDNY).
- Represented NVIDIA Corporation in patent infringement cases brought against Samsung and Qualcomm involving graphics processing technology. *In the Matter of Certain Consumer Electronics and Display Devices With Graphics Processing and Graphics Processing Units Therein, Inv. No. 337-TA-932 (ITC); NVIDIA Corporation v. Samsung Electronics Co., Ltd and Qualcomm, Inc.* (D. Del.).
- Represented Panasonic Corporation in both ITC and District Court patent infringement actions brought by Graphics Properties Holdings, Inc., over patents related to graphics processors and LCD televisions. *In the Matter of Certain Consumer Electronics with Display and Processing Capabilities, Inv. No. 337-TA-884; Graphics Properties Holdings, Inc. v. Panasonic Corporation of North America, CA No. 12-211* (D. Del.).
- Represented defendants Fujifilm, Nikon, Panasonic, and

Thomson Video Networks in patent infringement lawsuits involving a patent related to digital image compression technology. *FastVDO LLC v. Thomson Video Networks Americas LLC* (D. Del.).

- Represented respondent Panasonic Corporation in an ITC Section 337 investigation related to Blu-ray disc players. *In the Matter of Certain Blu-ray Disc Players, Components Thereof and Products Containing Same, Inv. No. 337-TA-824*.
- Represented a manufacturer of PET bottles in a patent infringement case brought by a competitor at both the district court and Federal Circuit that resulted in a summary judgment of invalidity for failure to disclose the best mode, which was upheld on appeal at the Federal Circuit.

## Publications

- Quoted in “Future of 3D Printing Is in U.S. and Europe, Patent Study Shows,” *Bloomberg Law*, July 14, 2020
- Quoted in “First-of-its-kind graduate course tackles legal issues in additive manufacturing,” *Penn State News*, July 24, 2019
- Protecting 3D Printer Files with Chris Higgins of Orrick, *WTFFF?! 3D Printing Podcast*, December 15, 2016
- “How to fight infringement in a 3D world,” Chris Higgins & Vann Pearce, *World Intellectual Property Review*, October 1, 2015
- Cited in “Pending Patent Colors FFF 3D Printing with Bold New Techniques,” *3Dprintingindustry.com*, May 4, 2015
- “3D Printing for Lawyers,” *3D Printshow.com*, May 15, 2014
- Interviewed in “3D printing: Patents could make it difficult for start-ups to enter the industry,” *Drupa Newsroom*, July 10, 2014
- Interviewed and quoted in “3D Printing and Counterfeit Goods,” *Pinkerton*, May 14, 2015
- “Merck v. Integra Life Sciences: The Safe Harbor from Patent Infringement under 35 U.S.C. §271(e)(1),” *Pennsylvania Bar Institute Pub. No. 4554*. August 2006
- “The Process to See the Process: Foreign Plant Inspections in Process Patent Infringement Cases,” *337 Reporter*. Volume XXIII, Summer 2007

## Speeches and Programs

- “Legal Issues in Additive Manufacturing,” Pennsylvania State University, Graduate Course, Guest Professor (2019).
- 3D Printing: Implications for Patents, Trademarks, Trade Secrets and Copyrights, Strafford webinar, September 18, 2018
- Patent Protection for the 3D Printed Part: Overcoming Current Challenges When Patenting Digital Products, Legal, Regulatory, and Business Conference on 3D Printing, Chicago, June 13-15, 2018
- RAPID + TCT: Accelerating 3D Manufacturing, Pittsburgh, PA, May 9, 2017
- The Effect of IP on Medical 3D Printing, 3D Medical Applications Conference, Baltimore, MD, March 31, 2017
- Inside 3D Printing Conference & Expo, New York, March 15, 2017
- The Intersection of 3D Printing and Intellectual Property, AM3D Additive Manufacturing + 3D Printing Conference and Expo, August, 2016
- New Ideas in 3D Printing (panel discussion), Inside 3D Printing Conference, New York, 2016

- “3D Printshow New York” - 3D Printshow, New York, April 2015
- “Print It! 3D Printing And The Intersection Of Intellectual Property” - American University Law Review Symposium, Washington, D.C., February 2015
- 3D Printing: Modeling a New Dimension of Intellectual Property, 3D Printshow Paris, 2014.
- The 3D Printing Patent Disruption, 3D Printshow London, 2014
- 3D Printing and Patents, The Complete 3D Printing Conference, London, 2014.
- Patents in 3D Printing – Tools to Navigate the Complex Patent World. 3D Printshow New York 2014.

### **Admissions**

- District of Columbia
- United States Patent and Trademark Office

### **Court Admissions**

- **United States Courts of Appeals** | Federal Circuit
- **United States District Courts** | District of Columbia
- **United States District Courts** | Northern District of Ohio